

Information Disclosure Statement's non compliance with 37 CFR 1.98(a)(2)

The Information Disclosure Statements PTO/SB/08{A&B) and copies of the references listed are submitted herewith to satisfy the requirements cited on page 2 of the office action. Copies of the foreign patents that are now addressed in the substitute specification are also listed on the Information Disclosure Statement and included as is necessary to comply with the technical requirement. The applicant believes that compliance with 37 CFR 1.98(a)(2) is thus achieved.

Claim objections, 37 CFR 1.75(c), page 2, as being improper dependant form

Claim 4, and all other claims have been deleted and replaced with claims 21 through 25 that articulate the "different purpose" provision type format as allowed in re Kirby, 40 USPQ 368, and such is now believed to be in condition for allowance.

Claim rejections, 35 USC § 112, page 3 & 4, failing the enablement requirement

Claims 5-18 have been deleted and replaced with claims 21 through 25 that are supported by the substitute Specification. The substitute Specification has been written to comply with the enablement requirement that focuses on providing knowledge, understanding, and instructions as provided in paragraphs 38 through 62 of the substitute Specifications, which is now believed to meet or exceed the requirement. Additionally claims as 15 and 16, that may be considered too broad and unbelievable have been omitted and not addressed in the new claims 21 through 25, or the substitute Specifications. The applicant believes this action fully addresses and remedies the deficiencies cited on page 3 of the office action.

Claim rejections, 35 USC § 112, page 5, failing to teach how to make compounds used

Page 5 of the office action cites a need to teach how to make the invention. Such need is believed to be satisfied by the new claims 21 through 25 that replaced the original claims. The new claims are intended to articulate a different purpose provision as in re Kirby, 40 USPQ 368. The applicant believes this change provided by the substitute specification to provide a different purpose type patent protection negates any need to teach how to make an existing compound.

Claim rejections, 35 USC § 112, page 5, failing to cite working examples

Page 5 of the office action cites a need for working examples that is based on the original specification, that is believed to be a non issue in the substitute specification offered. The applicant's effort is to show a new purpose that exists for the hydrazide compounds described in the prior art paragraphs 10 through 17 which all use the same hydrazide method that shuts down ongoing protein biosynthesis in cells to provide various purposes as is listed in the prior art. The need for working examples based on an existing compound that provides a working example is itself a working example believed by the applicant to satisfy the working example need when applied to a different purpose claim. Additionally the hydrazide method used to shutdown protein production that is used for various different purposes is listed in the prior art that provides 7 working examples used for various different purposes as summarized in paragraphs 31, 64 and 65 of the substitute specification. As such the applicant believes the different purpose provision articulated in the substitute specification and new claims satisfy the requirements of §112, and that working examples are plentiful and more than sufficient to evidence any new purpose derived from the shutdown of ongoing protein biosynthesis by the hydrazide method.

Claim rejections under 35 USC § 112, page 6, failing to point out and distinctly claim

Claims 6 -11 are rejected for failure to particularly point out what applicant regards as the invention. The claims have been deleted and replaced in the substitute specifications with only three independent claims that the applicants believes clearly sets forth the metes and bounds of the patent protection desired. In essence the abstract, substitute specification, and claims have all been rewritten in new form the claims are distinct and to the point. The substitute specification does not attempt to discern a listing of such diseases as information provided in the substitute specification teaches how to determine what disease pathology is applicable for the method and purpose provided.

Claim rejections under 35 USC § 102, page 7 and 8, anticipated by prior art

Claims 1-5, 19, and 20 are rejected as being clearly anticipated by prior art and not invented by applicant. The new claims 21 through 25, and the substitute specification are believed to


provide claims that are clear and distinct to show that the invention uses a prior art hydrazide method to shutdown ongoing protein biosynthesis for a different purpose that is a novel but not obvious invention and which remedies a long felt medical need. Claims 19 and 20 are likewise remedied by deletion and replacement claims 21 through 25, by expounding on the applicant's different purpose provided by use of the MAOI hydrazide compound.

Conditional Request for MPEP 2173.02 and 707.07(f) assistance

The applicant appreciates the clear and informative Office Action, that is helpful to this pro se applicant. However the applicant is totally ignorant about patent law and procedures, and may lack many of the skills needed to successfully prosecute a pro se case and appreciates the tolerance and considerations given in such regard. Because of this disadvantage the applicant would very much appreciate any suggestions, assistance, or interventions provided by the examiner, especially so as may be needed to properly articulate claims 21 through 25.

Thank you for this help and consideration.

Sincerely,

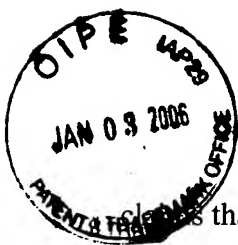


Reuben E. DeLoach
applicant, pro se

Certificate of Mailing

I certify that the above captioned document is hereby deposited for shipment by United States Postal Service Express Mail, Certificate Number **EQ 351551561 US**, and that such is addressed to: **MS Non-Fee Amendment, Unit 1621, Examiner B. J. Davis, Commissioner of Patents, Alexander, Va. 22313-1450**, on this 3 day JAN. 2006.

Reuben E. DeLoach



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Sincerely,

Reuben E, DeLoach
pro se

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I certify that the following items: Amendment A, Information Disclosure Statement, and Substitute Specification is hereby deposited for shipment with the United States Postal Service Express Mail, Certificate Number **EQ 351551561 US**, and that such is addressed to:
MS Non-Fee Amendment, Unit 1621, Examiner B. J. Davis, Commissioner of Patents, Alexander, Va. 22313-1450, on this 3 day JAN 2006.

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